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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/909,340 08/11/97 MALCOLM

J AT9-97-314

PM82/0301

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EXAMINER

MORSE, G

ART UNIT

PAPER NUMBER

2167

DATE MAILED:

03/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/909,340

Applicant(s)
Malcolm et al.

Examiner
Gregory Morse

Group Art Unit
3652



☒ Responsive to communication(s) filed on Nov 16, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-29 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-29 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3652

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-8, 10-15, 17-24 are rejected under 35 U.S.C. 102(b) as being anticipated by the product Microsoft Money, sold on (in the case of the cited manual) 5/25/1995. As indicated on page 39 of the manual, a desirable instance for using the "split transaction" feature which includes a summary and the listing of each individual element is where a deposit includes several checks, or checks plus cash. In normal use, this creates a persistent transaction group which may be treated as individual transactions or as a single transaction by the user.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3652

4. Claims 2, 9, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Microsoft Money product cited. The examiner takes official notice that the use of container objects (e.g. a bag, heap or hash table) to contain data records is well known in the computing art. The cited user manual does not refer to the implementation of the program. The use of a container object as the vehicle to store the transaction records in this product would have been obvious to one of ordinary skill in the art in order to save the time associated with building custom objects to handle the financial records.

5. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrader et al. in view of Stein et al., as cited in the previous action, and further in view of the Microsoft Money product. Applicant contends that the previous rejection does not create persistent transaction groupings for simultaneous transactions. As taught by the "split transactions" page of the Microsoft Money product, the notional, persistent splitting of simultaneous transactions into subgroups, such as individual checks and cash, is desirable to provide a more coherent system for tracking multi-part transactions. One of ordinary skill in the art would have taken advantage of this notional splitting of the transactions in the modified device of Schrader et al. in view of the teachings of the Microsoft Money product.

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Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Morse whose telephone number is (703) 308-4789.

MORSE/gam
February 26, 2001


GREGORY A. MORSE
PRIMARY EXAMINER